

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

<b>Virginia Coalition for Immigrant Rights,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>Civil Action No. 1:24-cv-01778</b>
<b>v.</b>	)	
	)	
<b>Susan Beals, in her official capacity as</b>	)	
<b>Virginia Commissioner of Elections, et al.,</b>	)	

**Defendants.**

<b>The United States of America,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 1:24-cv-01807</b>
	)	
<b>The Commonwealth of Virginia, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANTS' MOTION TO DISMISS THE ORGANIZATIONAL  
PLAINTIFFS' FIRST AMENDED COMPLAINT AND THE  
UNITED STATES OF AMERICA'S COMPLAINT**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendants the Commonwealth of Virginia, the Virginia State Board of Elections, Susan Beals, John O'Bannon, Rosalyn R. Dance, Georgia Alvis-Long, Donald W. Merricks, Matthew Weinstein, and Jason Miyares, by counsel, respectfully move this Court to dismiss the Organizational Plaintiffs' First Amended Complaint and the United States of America's Complaint for lack of jurisdiction and for failure to state a claim upon which relief can be granted. In support, Defendants rely on the Memorandum in Support filed herewith and the authorities and evidence cited therein.

Dated: November 21, 2024

Respectfully submitted,

**COMMONWEALTH OF VIRGINIA;**  
**VIRGINIA STATE BOARD OF ELECTIONS;**  
**SUSAN BEALS**, in her official capacity as Virginia  
Commissioner of Elections; **JOHN O'BANNON**,  
in his official capacity as Chairman of the State  
Board of Elections; **ROSALYN R. DANCE**, in her  
official capacity as Vice-Chairman of the State  
Board of Elections; **GEORGIA ALVIS-LONG**, in  
her official capacity as Secretary of the State Board  
of Elections; **DONALD W. MERRICKS** and  
**MATTHEW WEINSTEIN**, in their official  
capacities as members of the State Board of  
Elections; and **JASON MIYARES**, in his official  
capacity as Virginia Attorney General

By: /s/ Erika Maley

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**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that on November 21, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties of record.

/s/ Erika Maley  
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*Counsel for Defendants*